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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 EGOROV DMITRIY,

12 Plaintiff,

13 v.

14 KUCHUR BELLA,

15 Defendant.
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No. 2:20-cv-00010-TLN-KJN

ORDER DISMISSING WITH PREJUDICE
AND DECLARING PLAINTIFF A
VEXATIOUS LITIGANT

17 On March 16, 2020, the magistrate judge filed findings and recommendations (ECF No.
18 5), which were served on the parties and which contained notice that any objections to the
19 findings and recommendations were to be filed within fourteen (14) days. No objections were
20 filed.

21 Accordingly, the Court presumes that any findings of fact are correct. *See Orand v.*
22 *United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
23 reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir.
24 1983).

25 The Court has reviewed the applicable legal standards and, good cause appearing,
26 concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,
27 IT IS HEREBY ORDERED that:

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1. The findings and recommendations (ECF No. 5) are ADOPTED IN FULL;
2. Plaintiff's Complaint (ECF No. 1) is DISMISSED WITH PREJUDICE;
3. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is DENIED as moot;
4. Plaintiff is DECLARED a Vexatious Litigant; and
5. The Court ISSUES the following pre-filing order, as more fully described in Section II.D. of the Magistrate Judge's findings and recommendations (ECF No. 5):
 - a. Any future filing, of any kind, by Plaintiff in the United States District Court for the Eastern District of California shall contain the following words in all capital letters at the top of the front page: "PLAINTIFF HAS BEEN DECLARED A VEXATIOUS LITIGANT, AS PER CASE NO. 2:20-cv-10-TLN-KJN-PS." If a proposed filing does not contain that heading, the Clerk of the Court shall lodge (not file) the proposed filing, nor shall the Court review it — any incomplete filings shall be returned to Plaintiff without further action of the Court;
 - b. If Plaintiff submits an action as a self-represented plaintiff accompanied by the required heading, the Clerk of the Court is directed to open the matter as a miscellaneous case to be considered by the General Duty Judge of this Court. The Duty Judge shall then determine whether the case is in fact non-frivolous. If it is frivolous, the Duty Judge shall dismiss the action without comment, pursuant to this pre-filing order. If it is not frivolous, the Duty Judge shall order the Clerk to allow the complaint to be filed as normal; and
 - c. The requirements of subparagraphs (a) and (b) shall be waived if Plaintiff's filing is made on his behalf by a licensed attorney at law in good standing who signs the filing as the attorney of record for Plaintiff.

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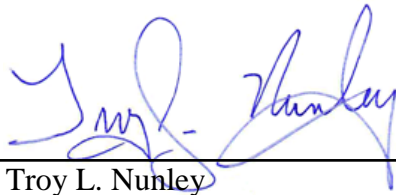
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IT IS SO ORDERED.

DATED: April 7, 2020



Troy L. Nunley
United States District Judge